

### Remarks

Claim 1 of the application has been amended to emphasize a significant feature of Applicant's book reading aid, which provides a further clear distinction over the prior art.

More particularly, according to amended Claim 1 the spring element of each end-piece urges the finger portion thereof toward a closed position in which it bears against the elongate member comprised in the reading aid, such that the finger portions press against the interposed pages of an open book, in use, and grip the book against the elongate member. This construction uniquely enables the claimed device to accommodate books of various sizes, and highlights a fundamental inadequacy of the prior art devices, which are clearly incapable of accommodating more than a very limited range of book thickness.

Claims 1 and 3-6 stand rejected as having been anticipated by U.S. patent No. 3,674,231, to Lewis, and Claims 1-7 (i.e., all pending claims) stand rejected as having been obvious, to one of ordinary skill in the art, over U.S. patent No. 3,061,969, to Lunday, in view of the patent to Lewis. It is respectfully submitted that neither of these rejections is meritorious.

The disclosure of the Lewis patent that the Examiner deems to be pertinent is obviously that which is found in Figure 4 and in the corresponding description in column 2. Even in the absence of the present amendments is doubtful, at best, that the Lewis patent could properly be deemed to anticipate Claim 1 of the instant application.

The most significance difference, however, which is emphasized by the present amendments and clearly precludes anticipation, is that Lewis does not grip a book between the page clips 23, 24 and the straight portions 14,' 15' of the wire component or the plastic

tube 10'. Rather, in the arrangement disclosed the page clips obviously cooperate only with the jaw half elements 26. In the fully closed positions toward which the clips are urged, no finger portions thereof bear against any elongate member of which the Lewis book holder is comprised; they can bear only against the jaw elements 26.

As a second ground for rejection, the Examiner asserts that it would have been obvious, in view of Lewis, for Lunday to incorporate arms projecting inwardly "for the purpose of readily engaging or disengaging books of various sizes." She asserts that "The elongated member (10, 11) [of Lunday] has arms (31, 31a) projecting from opposite ends," and that "the arms are taught to be angularly disposed with respect to the elongate member." These assertions are not accurate.

First of all, elements 31 and 31a are clearly not arms that project from the elongate member; rather, each is a planar, non-projecting base on a tongue 25, 25a. It appears that each base is formed to have upwardly projecting ear elements, which hold the springs and mounting pins that in turn support that the hinged blades 32, 32a. Neither the upstanding ears nor any other part of the base component is angularly disposed with respect to any elongate member, in the sense of the claimed invention; and (as acknowledged by the Examiner) they certainly do not project inwardly.

To the extent there is structure in Lewis (presumably, the curved sections on the ends of portions 14' and 15') that might be deemed analogous to the presently claimed inwardly projecting arms, they perform an entirely different function from the presently claimed arms. In Lunday, the blades 32, 32a bear against the elongate member 10 to press against the interposed pages of an open book so that, as Applicant fully explained in his

Amendment of March 1, 2006, the range of thicknesses which can be adequately held is very restricted. In Lewis, the page clips 23, 24 cooperate only with the jaw half elements 26 so that Lewis suffers from precisely the same shortcomings as Lunday with regard to the limited range of thicknesses which can be held.

The advantageous combination of inwardly projecting arms carrying end pieces having finger portions which bear against the elongate member so that they may accommodate a wider range of thicknesses, as fully explained in the above-mentioned Amendment, is not taught in or suggested by Lunday or Lewis, individually or in combination.

In addition to the foregoing, the Examiner's stated motivation for justifying the combination of references (i.e., "for the purpose of readily engaging or disengaging books of various sizes") is made in the absence of any suggestion in the art that the feature imported from Lewis would serve in any way to achieve that result, or to improve the Lunday device in that regard -- and indeed, it would not do so. Such a gross reconstruction of the art is clearly contrived and unnatural, and is the antithesis of obviousness.

It is respectfully submitted that the present claims define an invention that is clearly novel and nonobvious over the prior art. Withdrawal of the rejections is in order, and such action is earnestly solicited.

Respectfully submitted,  
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I, IRA S. DORMAN, hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, in an envelope addressed as set forth on the first page hereof, on September 13, 2006.

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